

AMENDMENT TO THE CLAIMS

Claims 1-3, 5-11 remain in the application as follows, claim 4 having been cancelled.

1. (currently amended) A hair clip assembly for use by a user having hands, and having a head having a scalp having a plurality of hairs, wherein each of the hairs has a root, a pretreated portion which has been treated by a treatment chemical on a prior occasion, and a new hair growth portion which has not been treated by the treatment chemical on the prior occasion, said hair clip assembly for protecting the pretreated portions of the plurality of hairs from the damaging effects of the treatment chemical applied to the new hair growth portions, comprising:

a first jaw member, and a second jaw member substantially the same length as the first jaw member pivotally attached to the first jaw member by a hinge wherein the pivotal attachment permits the jaw members to assume open and closed positions in relation to each other by movement of both jaw members toward and away from each other, each jaw member having a first end, a second end, an internally oriented surface, an externally oriented surface, a lower surface, and an upper surface, ~~wherein the jaw members are pivotally attached to one another in proximity to their first ends by a hinge, said jaw members having an open position wherein the jaw members have been swiveled away from one another upon the hinge, and a closed position wherein the jaw members have been swiveled towards one another upon the hinge;~~

a coiled spring in proximity to the adjacent first ends of the jaw members, wherein the coiled spring biases and moves both ~~the~~ jaw members towards the closed position such that in the closed position all surfaces of the first jaw member are substantially adjacent and parallel to the corresponding surfaces of the second jaw member; and

a first unitary hair shield secured to and extending perpendicularly from the upper ~~surfaces~~ surface of each of the first jaw members member and a second separate unitary hair

shield secured to and extending perpendicularly from the upper surface of the second jaw member, each hair shield having an internally oriented surface ~~and an externally oriented surface~~, wherein when the jaw members are biased in the closed position, the two shields are also biased closed such that their internally oriented surfaces are pressed substantially flush against each other and wherein while the hair clip assembly is being used to protect the pretreated portions of the hair during application of the treatment chemical to the new hair growth portions, the jaw members are in the closed position, the pretreated portions of the hair are sandwiched between the internally oriented surfaces of the two hair shields, and the hair shields cover and protect the pretreated portions of the hair from needless exposure to the treatment chemical.

2. (original) The hair clip assembly as recited in claim 1, wherein each of the hair shields is substantially flat and rectangular.

3. (original) The hair clip assembly as recited in claim 2, wherein each of the jaw members has a plurality of teeth extending perpendicularly outward from its internally oriented surface, wherein the teeth of the first jaw member selectively interlock with the teeth of the second jaw member when the jaw members are in the closed position, thereby strengthening the hold of the jaw members onto the plurality of hairs onto which the hair clip assembly has been selectively attached.

4. (cancelled)

5. (currently amended) The hair clip assembly as recited in claim 4 1, wherein each of the jaw members has a beveled grip at its first end, wherein the beveled grips provide an easily grippable surface for the user, wherein the jaw members are opened by the user squeezing the beveled grips towards one another, and wherein after positioning the pretreated portion of the hair between the hair shields, the jaw members are allowed to close by releasing the beveled grips, thereby allowing the spring to bias the jaw members to the closed position.

6. (original) The hair clip assembly as recited in claim 5, wherein the portions of the hair clip assembly which contact the hair of the user are lined with a soft, polystyrene material in order to prevent damage to the plurality of hairs during use of the hair clip assembly.

7. (original) The hair clip assembly as recited in claim 6, wherein the beveled grips are constructed from a non-slippery rubber material, in order that the hair clip assembly will not inadvertently slip from the hands of the user during use.

8. (original) The hair clip assembly as recited in claim 7, wherein the jaw members are substantially rectangular.

9. (original) The hair clip assembly as recited in claim 8, wherein the jaw members are constructed from stainless steel.

10. (original) The hair clip assembly as recited in claim 8, wherein the jaw members are constructed from plastic.

11. (original) A method of protecting pretreated portions of hair from the damaging effects of a treatment chemical applied to the new hair growth portions of the hair, by a user having two hands, a head having a scalp having a plurality of hairs extending therefrom, wherein each of the hairs has a root by which it is attached to the scalp, a pretreated portion of the hair which has been treated on a prior occasion, and a new hair growth portion which has not been treated on the prior occasion, said method using at least two hair clip assemblies, each hair clip assembly having a first jaw member, and a second jaw member pivotally attached to the first jaw member, each jaw member having a first end, a second end, a lower surface, an upper surface, an internally oriented surface, and an externally oriented surface, wherein the jaw members are pivotally attached to one another in proximity to their first ends, said jaw members having an open position wherein the jaw members have been swiveled away from one another, and a closed position wherein the jaw members have been swiveled towards one another, wherein the jaw

members are biased towards the closed position, each hair clip assembly having a hair shield extending perpendicularly from the upper surfaces of each of the jaw members, said method comprising the steps of:

- a) dividing the plurality of hairs by the user into at least two sections;
- b) holding one of the at least two hair clip assemblies by the first ends of the jaw members within one hand while using the other hand to lift one of the at least two sections of the plurality of hairs away from the scalp;
- c) opening the jaw members by pressing the first ends of the jaw members towards one another;
- d) interposing the pretreated portions of the hair of said section between the shields and aligning the lower surfaces of the jaw members along the junction between the new hair growth portions and the pretreated portions;
- e) releasing the first ends of the jaw members, thereby allowing the jaw members to close and firmly grasp the hairs in proximity to the roots, thereby sandwiching the pretreated portions of the hairs between the shields, while leaving the new hair growth portions exposed;
- f) repeating steps (b) through (e) for each of the remaining at least one section of hair; and
- g) applying the treatment chemical to the exposed new hair growth portions, while sparing the pretreated portions of hair from the damaging effects of the treatment chemical.